

EXHIBIT F



April 28, 2023

Via Email

Jeffery S. Becker
Baker Botts LLP
2001 Ross Avenue
Suite 900
Dallas, TX 75201-2980

Re: *Textron Innovations Inc. v. SZ DJI TECHNOLOGY CO., LTD. et al*, 2:22-cv-00351-RWS-RSP, Eastern District of Texas, Marshall Division

Dear Mr. Becker,

Further to my letter sent on April 11, 2023, we have continued to investigate the issues relating to DJI's production of source code in the currently pending litigation between DJI and Textron in the Eastern District of Texas and provide the following update.

Regarding the regulations governing the export of technology from China, including source code, there is a list of technologies subject to prohibitions or restrictions (i.e., needing an export license) set out by a catalog ("Catalog") promulgated by the Ministry of Commerce of China and the Ministry of Science and Technology of China in accordance with the governing regulations. Notably, exporting a restricted technology without a license subjects the exporter to severe administrative and/or criminal penalties.

We have identified multiple control points in the Catalog relating to drone technology that are relevant to the source code used in DJI models that Textron accuses of infringement. In particular, we have a good faith belief that at least some source code is likely to be covered by these control points in the Catalog, such as source code relating to flight control systems, thus likely requiring a license from the Department of Commerce of Guangdong Province ("GDDOC") to export from China.

As you may be aware, DJI submitted an application to the GDDOC for a license to disclose part of the flight control source code in the litigation in the Western District of Texas. But the GDDOC rejected the application and did not grant the requisite license. Given this decision, any attempt by DJI to export restricted source code without a license would likely result in DJI facing severe administrative and/or criminal penalties, particularly since DJI is already aware of the GDDOC decision sought in relation to the Western District of Texas litigation.

With this background, we propose the following specific steps for possible production of certain source code for the Eastern District of Texas litigation in accordance with China's regulations governing the export of technology including source code:

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- (a) Textron sends an attorney and/or expert (collectively “Consultant”) having both Chinese nationality and lawful permanent residence in the Chinese mainland to review source code on one or more stand-alone computers located in Shenzhen, China;
- (b) The Consultant and DJI work together to identify certain lines of source codes that are requested by the Consultant on behalf of Textron for export and that may implicate export restrictions (“Code Lines”);
- (c) After the Code Lines are identified, DJI will provide necessary assistance to Textron to file an export application along with any other required materials to GDDOC;
- (d) GDDOC will examine the application under the governing regulations to decide whether to issue a Technology Export License;
- (e) If GDDOC issues the Technology Export License, DJI will produce the Code Lines in accordance with the Technology Export License and any applicable protective order in the EDTX Proceedings.

DJI has been and continues to be working diligently to ensure that it can meet its discovery obligations relating to production of source code while ensuring its compliance with China’s governing regulations for the export of technology including source code. We are open to discussing with Textron’s counsel the steps outlined above. But to be clear, DJI reserves the right to challenge any Textron discovery request.

Also, we will be providing a red line of Judge Schroeder’s form protective order next week. These red lines reflect changes that will further assist in enabling review of DJI source code.

Best regards,

A handwritten signature in blue ink that reads "Ken".

Kenneth R. Adamo